

AMENDMENTS TO LB 495

Introduced by Friend, 10.

1           1. Strike the original sections and all amendments  
2 thereto and insert the following new sections:

3           Section 1. (1) A city of the first or second class or  
4 village shall provide written notice of a proposed annexation to  
5 the owners of property within the area proposed for annexation in  
6 the manner set out in this section.

7           (2) Initial notice of the proposed annexation shall be  
8 sent to the owners of property within the area proposed for  
9 annexation by regular United States mail, postage prepaid, to the  
10 address of each owner of such property as it appears in the  
11 records of the office of the register of deeds or as the address  
12 is determined from another official source, postmarked at least  
13 ten working days prior to the planning commission's public hearing  
14 on the proposed change with a certified letter to the clerk of  
15 any sanitary and improvement district if the annexation includes  
16 property located within the boundaries of such district. Such  
17 notice shall describe the area proposed for annexation, including  
18 a map showing the boundaries of the area proposed for annexation,  
19 and shall contain the date, time, and location of the planning  
20 commission's hearing and how further information regarding the  
21 annexation can be obtained, including the telephone number of  
22 the pertinent city or village official and an electronic mail or  
23 Internet address if available.

1           (3) A second notice of the proposed annexation shall be  
2 sent to the same owners of property who were provided with notice  
3 under subsection (2) of this section. Such notice shall be sent by  
4 regular United States mail, postage prepaid, to the owner's address  
5 as it appears in the records of the office of the register of  
6 deeds or as the address is determined from another official source,  
7 postmarked at least ten working days prior to the public hearing of  
8 the city council or village board on the annexation. Such notice  
9 shall describe the area proposed for annexation, including a map  
10 showing the boundaries of the area proposed for annexation, and  
11 shall contain the date, time, and location of the hearing and  
12 how further information regarding the annexation can be obtained,  
13 including the telephone number of the pertinent city or village  
14 official and an electronic mail or Internet address if available.

15           (4) No additional or further notice beyond that required  
16 by subsections (2) and (3) of this section shall be necessary if  
17 the scheduled public hearing by the planning commission or city  
18 council or village board on the proposed annexation is adjourned,  
19 continued, or postponed until a later date.

20           (5) Except for a willful or deliberate failure to cause  
21 notice to be given, no annexation decision made by a city of the  
22 first or second class or village to accept or reject a proposed  
23 annexation, either in whole or in part, shall be void, invalidated,  
24 or affected in any way because of any irregularity, defect, error,  
25 or failure on the part of the city or village or its employees  
26 to cause notice to be given as required by this section if a  
27 reasonable attempt to comply with this section was made. No action

1 to challenge the validity of the acceptance or rejection of a  
2 proposed annexation on the basis of this section shall be filed  
3 more than one year following the date after the formal acceptance  
4 or rejection of the annexation by the city council or village  
5 board.

6 (6) Except for a willful or deliberate failure to cause  
7 notice to be given, the city of the first or second class or  
8 village and its employees shall not be liable for any damage to  
9 any person resulting from failure to cause notice to be given  
10 as required by this section if a reasonable attempt was made to  
11 provide such notice. No action for damages resulting from the  
12 failure to cause notice to be provided as required by this section  
13 shall be filed more than one year following the date after the  
14 formal acceptance or rejection of the proposed annexation, either  
15 in whole or in part, by the city council or village board.

16 (7) For purposes of this section, owner means the owner  
17 of a piece of property as indicated on the records of the office  
18 of the register of deeds as provided to or made available to the  
19 city of the first or second class or village no earlier than the  
20 last business day before the twenty-fifth day preceding the public  
21 hearing by the planning commission on the annexation proposed for  
22 the subject property.

23 Sec. 2. Section 15-268, Reissue Revised Statutes of  
24 Nebraska, is amended to read:

25 15-268 A primary city of the primary class may provide  
26 for the destruction and removal of weeds and worthless vegetation  
27 growing upon any lot or lots or lands within the corporate limits

1 of such city or upon the streets and alleys abutting upon any  
2 lot or lots or lands, and such city may require the owner or  
3 owners of such lot or lots or lands to destroy and remove the same  
4 therefrom and from the streets and alleys abutting thereon. If the  
5 ~~owner or owners fail, neglect, or refuse,~~ after five days' notice  
6 by publication, ~~or~~ by certified United States mail, or by the  
7 conspicuous posting of the notice on the lot or land upon which the  
8 nuisance exists, the owner or owners fail, neglect, or refuse to  
9 destroy or remove the ~~same,~~ nuisance, the city, through its proper  
10 officers, shall destroy and remove the ~~same~~ nuisance, or cause the  
11 ~~same~~ nuisance to be destroyed or removed, from the lot or lots or  
12 lands and streets and alleys abutting thereon and shall assess the  
13 cost thereof against such lot or lots or lands, as provided by  
14 ordinance.

15           Sec. 3. Section 16-117, Reissue Revised Statutes of  
16 Nebraska, is amended to read:

17           16-117 (1) Except as provided in sections 13-1111 to  
18 13-1120 and section 4 of this act and subject to this section,  
19 the mayor and city council of a city of the first class may  
20 by ordinance at any time include within the corporate limits of  
21 such city any contiguous or adjacent lands, lots, tracts, streets,  
22 or highways as are urban or suburban in character and in such  
23 direction as may be deemed proper. Such grant of power shall not  
24 be construed as conferring power upon the mayor and city council  
25 to extend the limits of a city of the first class over any  
26 agricultural lands which are rural in character.

27           (2) The invalidity of the annexation of any tract of land

1 in one ordinance shall not affect the validity of the remaining  
2 tracts of land which are annexed by the ordinance and which  
3 otherwise conform to state law.

4 (3) The city council proposing to annex land under the  
5 authority of this section shall first adopt both a resolution  
6 stating that the city is proposing the annexation of the land and a  
7 plan for extending city services to the land. The resolution shall  
8 state:

9 (a) The time, date, and location of the public hearing  
10 required by subsection (5) of this section;

11 (b) A description of the boundaries of the land proposed  
12 for annexation; and

13 (c) That the plan of the city for the extension of city  
14 services to the land proposed for annexation is available for  
15 inspection during regular business hours in the office of the city  
16 clerk.

17 (4) The plan adopted by the city council shall contain  
18 sufficient detail to provide a reasonable person with a full and  
19 complete understanding of the proposal for extending city services  
20 to the land proposed for annexation. The plan shall (a) state  
21 the estimated cost impact of providing the services to such land,  
22 (b) state the method by which the city plans to finance the  
23 extension of services to the land and how any services already  
24 provided to the land will be maintained, (c) include a timetable  
25 for extending services to the land proposed for annexation, and  
26 (d) include a map drawn to scale clearly delineating the land  
27 proposed for annexation, the current boundaries of the city, the

1 proposed boundaries of the city after the annexation, and the  
2 general land-use pattern in the land proposed for annexation.

3 (5) A public hearing on the proposed annexation shall be  
4 held within sixty days following the adoption of the resolution  
5 proposing to annex land to allow the city council to receive  
6 testimony from interested persons. The city council may recess  
7 the hearing, for good cause, to a time and date specified at the  
8 hearing.

9 (6) A copy of the resolution providing for the public  
10 hearing shall be published in the official newspaper in the city  
11 at least once not less than ten days preceding the date of the  
12 public hearing. A map drawn to scale delineating the land proposed  
13 for annexation shall be published with the resolution. A copy of  
14 the resolution providing for the public hearing shall be sent by  
15 first-class mail following its passage to the school board of any  
16 school district in the land proposed for annexation.

17 (7) Any owner of property contiguous or adjacent to a  
18 city of the first class may by petition request that such property  
19 be included within the corporate limits of such city. The mayor and  
20 city council may include such property within the corporate limits  
21 of the city without complying with subsections (3) through (6) of  
22 this section.

23 (8) Notwithstanding the requirements of this section, the  
24 mayor and city council are not required to approve any petition  
25 requesting annexation or any resolution or ordinance proposing to  
26 annex land pursuant to this section.

27 Sec. 4. (1) The provisions of this section shall govern

1 annexation by a city of the first class located in whole or in part  
2 within the boundaries of a county having a population in excess of  
3 one hundred thousand inhabitants but less than two hundred thousand  
4 inhabitants.

5 (2) Except as provided in sections 13-1111 to 13-1120 and  
6 subject to this section, the mayor and city council of a city of  
7 the first class described in subsection (1) of this section may  
8 by ordinance at any time include within the corporate limits of  
9 such city any contiguous or adjacent lands, lots, tracts, streets,  
10 or highways as are urban or suburban in character and in such  
11 direction as may be deemed proper. Such grant of power shall not  
12 be construed as conferring power upon the mayor and city council to  
13 extend the limits of such a city over any agricultural lands which  
14 are rural in character.

15 (3) The invalidity of the annexation of any tract of land  
16 in one ordinance shall not affect the validity of the remaining  
17 tracts of land which are annexed by the ordinance and which  
18 otherwise conform to state law.

19 (4) Any owner of property contiguous or adjacent to such  
20 a city may by petition request that such property be included  
21 within the corporate limits of such city.

22 (5) Notwithstanding the requirements of this section, the  
23 mayor and city council are not required to approve any petition  
24 requesting annexation or any resolution or ordinance proposing to  
25 annex land pursuant to this section.

26 (6) Not later than fourteen days prior to the public  
27 hearing before the planning commission on a proposed annexation

1 by the city, the city clerk shall send notice of the proposed  
2 annexation by certified mail, return receipt requested, to any  
3 of the following entities serving customers in such city or in  
4 the area proposed for annexation: Any natural gas public utility  
5 as defined in section 66-1802; any natural gas utility owned  
6 or operated by the city; any metropolitan utilities district;  
7 any public power district; any public power and irrigation  
8 district; any municipality; any electric cooperative; and any  
9 other governmental entity providing electric service. Such notice  
10 shall include a copy of the proposed annexation ordinance, the  
11 date, time, and place of the public hearing before the planning  
12 commission on the proposed annexation ordinance, and a map showing  
13 the boundaries of the area proposed for annexation.

14 (7) Prior to the final adoption of the annexation  
15 ordinance, the minutes of the city council meeting at which  
16 such final adoption was considered shall reflect formal compliance  
17 with the provisions of subsection (6) of this section.

18 (8) No additional or further notice beyond that required  
19 by subsection (6) of this section shall be necessary in the  
20 event (a) that the scheduled city council public hearing on the  
21 proposed annexation is adjourned, continued, or postponed until a  
22 later date or (b) that subsequent to providing such notice the  
23 ordinance regarding such proposed annexation was amended, changed,  
24 or rejected by action of the city council prior to formal passage  
25 of the annexation ordinance.

26 (9) Except for a willful or deliberate failure to cause  
27 notice to be given, no annexation decision made by a city either

1 to accept or reject a proposed annexation, either in whole or in  
2 part, shall be void, invalidated, or affected in any way because  
3 of any irregularity, defect, error, or failure on the part of the  
4 city or its employees to cause notice to be given as required by  
5 this section if a reasonable attempt to comply with this section  
6 was made.

7 (10) Except for a willful or deliberate failure to cause  
8 notice to be given, the city and its employees shall not be  
9 liable for any damage to any person resulting from any failure  
10 to cause notice to be given as required by this section when a  
11 reasonable attempt was made to provide such notice. No action for  
12 damages resulting from the failure to cause notice to be provided  
13 as required by this section shall be filed more than one year  
14 following the date of the formal acceptance or rejection of the  
15 proposed annexation, either in whole or in part, by the city  
16 council.

17 (11) No action to challenge the validity of the  
18 acceptance or rejection of a proposed annexation on the basis of  
19 this section shall be filed more than one year following the date  
20 of the formal acceptance or rejection of the annexation by the city  
21 council.

22 Sec. 5. Section 16-230, Reissue Revised Statutes of  
23 Nebraska, is amended to read:

24 16-230 (1) A city of the first class by ordinance may  
25 require lots or pieces of ground within the city or within  
26 two miles of the corporate limits of the city the city's  
27 extraterritorial zoning jurisdiction to be drained or filled so

1 as to prevent stagnant water or any other nuisance accumulating  
2 thereon. ~~It~~ Except as provided in subsection (6) of this section,  
3 the city may require the owner or occupant of all lots and  
4 pieces of ground within the city to keep the lots and pieces  
5 of ground and the adjoining streets and alleys free of any  
6 growth of twelve inches or more in height of weeds, grasses, or  
7 worthless vegetation, and it may prohibit and control the throwing,  
8 depositing, or accumulation of litter on any lot or piece of ground  
9 within the city.

10 (2) ~~Any~~ Except as provided in subsection (6) of this  
11 section, any city of the first class may by ordinance declare it  
12 to be a nuisance to permit or maintain any growth of twelve inches  
13 or more in height of weeds, grasses, or worthless vegetation or to  
14 litter or cause litter to be deposited or remain thereon except in  
15 proper receptacles.

16 (3) Any owner or occupant of a lot or piece of ground  
17 shall, upon conviction of violating ~~such~~ any ordinance authorized  
18 under this section, be guilty of a Class V misdemeanor.

19 (4) Notice to abate and remove such nuisance shall be  
20 given to each owner or owner's duly authorized agent and to the  
21 occupant, if any, by personal service or certified mail. If notice  
22 by personal service or certified mail is unsuccessful, notice shall  
23 be given by publication in a newspaper of general circulation in  
24 the city or by conspicuously posting the notice on the lot or  
25 ground upon which the nuisance is to be abated and removed. Within  
26 five days after receipt of such notice or publication or posting,  
27 whichever is applicable, if the owner or occupant of the lot or

1 piece of ground does not request a hearing with the city or fails  
2 to comply with the order to abate and remove the nuisance, the city  
3 may have such work done. The costs and expenses of any such work  
4 shall be paid by the owner. If unpaid for two months after such  
5 work is done, the city may either (a) levy and assess the costs and  
6 expenses of the work upon the lot or piece of ground so benefited  
7 in the same manner as other special taxes for improvements are  
8 levied and assessed or (b) recover in a civil action the costs  
9 and expenses of the work upon the lot or piece of ground and the  
10 adjoining streets and alleys.

11 (5) For purposes of this section:

12 (a) Litter includes, but is not limited to: (i) Trash,  
13 rubbish, refuse, garbage, paper, rags, and ashes; (ii) wood,  
14 plaster, cement, brick, or stone building rubble; (iii) grass,  
15 leaves, and worthless vegetation; (iv) offal and dead animals;  
16 and (v) any machine or machines, vehicle or vehicles, or parts of  
17 a machine or vehicle which have lost their identity, character,  
18 utility, or serviceability as such through deterioration,  
19 dismantling, or the ravages of time, are inoperative or unable to  
20 perform their intended functions, or are cast off, discarded, or  
21 thrown away or left as waste, wreckage, or junk; and

22 (b) Weeds includes, but is not limited to, bindweed  
23 (*Convolvulus arvensis*), puncture vine (*Tribulus terrestris*),  
24 leafy spurge (*Euphorbia esula*), Canada thistle (*Cirsium arvense*),  
25 perennial peppergrass (*Lepidium draba*), Russian knapweed (*Centaurea*  
26 *picris*), Johnson grass (*Sorghum halepense*), nodding or musk  
27 thistle, quack grass (*Agropyron repens*), perennial sow thistle

1 (Sonchus arvensis), horse nettle (Solanum carolinense), bull  
2 thistle (Cirsium lanceolatum), buckthorn (Rhamnus sp.) (toun),  
3 hemp plant (Cannabis sativa), and ragweed (Ambrosiaceae); ~~and-~~

4 (c) Weeds, grasses, and worthless vegetation does not  
5 include vegetation applied or grown on a lot or piece of ground  
6 outside the corporate limits of the city but inside the city's  
7 extraterritorial zoning jurisdiction expressly for the purpose of  
8 weed or erosion control.

9 (6) A city of the first class by ordinance may declare it  
10 to be a nuisance to permit or maintain any growth of eight inches  
11 or more in height of weeds, grasses, or worthless vegetation on any  
12 lot or piece of ground located within the corporate limits of the  
13 city during any calendar year if, within the same calendar year,  
14 the city has, pursuant to subsection (4) of this section, acted  
15 to remove weeds, grasses, or worthless vegetation exceeding twelve  
16 inches in height on the same lot or piece of ground and had to seek  
17 recovery of the costs and expenses of such work from the owner.

18 Sec. 6. Section 17-405.01, Reissue Revised Statutes of  
19 Nebraska, is amended to read:

20 17-405.01 (1) Except as provided in subsection (2) of  
21 this section and section 7 of this act, the mayor and council  
22 of any city of the second class or the chairperson and members  
23 of the board of trustees of any village may by ordinance, except  
24 as provided in sections 13-1111 to 13-1118, at any time, include  
25 within the corporate limits of such city or village any contiguous  
26 or adjacent lands, lots, tracts, streets, or highways as are  
27 urban or suburban in character, and in such direction as may

1 be deemed proper. Such grant of power shall not be construed as  
2 conferring power to extend the limits of any municipality over any  
3 agricultural lands which are rural in character.

4 (2) The mayor and city council of any city of the  
5 second class or the chairperson and members of the board of  
6 trustees of any village may, by ordinance, annex any lands, lots,  
7 tracts, streets, or highways which constitute a redevelopment  
8 project area so designated by the city or village or its community  
9 redevelopment authority in accordance with the provisions of the  
10 Community Development Law and sections 18-2145 to 18-2154 when such  
11 annexation is for the purpose of implementing a lawfully adopted  
12 redevelopment plan containing a provision dividing ad valorem  
13 taxes as provided in subsection (1) of section 18-2147 and which  
14 will involve the construction or development of an agricultural  
15 processing facility, notwithstanding that such lands, lots, tracts,  
16 streets, or highways are not contiguous or adjacent or are not  
17 urban or suburban in character. Such annexation shall comply with  
18 all other provisions of law relating to annexation generally for  
19 cities of the second class and villages. The city or village shall  
20 not, in consequence of the annexation under this subsection of any  
21 noncontiguous land, exercise the authority granted to it by statute  
22 to extend its jurisdiction beyond its corporate boundaries for  
23 purposes of planning, zoning, or subdivision development without  
24 the agreement of any other city, village, or county currently  
25 exercising such jurisdiction over the area surrounding the annexed  
26 redevelopment project area. The annexation of any noncontiguous  
27 land undertaken pursuant to this subsection shall not result in

1 any change in the service area of any electric utility without  
2 the express agreement of the electric utility serving the annexed  
3 noncontiguous area at the time of annexation, except that at such  
4 time following the annexation of the noncontiguous area as the city  
5 or village lawfully annexes sufficient intervening territory so as  
6 to directly connect the noncontiguous area to the main body of  
7 the city or village, such noncontiguous area shall, solely for the  
8 purposes of section 70-1008, be treated as if it had been annexed  
9 by the city or village on the date upon which the connecting  
10 intervening territory had been formally annexed.

11 (3) For the purposes of subsection (2) of this section,  
12 agricultural processing facility means a plant or establishment  
13 where value is added to agricultural commodities through  
14 processing, fabrication, or other means and where eighty percent  
15 or more of the direct sales from the facility are to other than  
16 the ultimate consumer of the processed commodities. A facility  
17 shall not qualify as an agricultural processing facility unless its  
18 construction or development involves the investment of more than  
19 one million dollars derived from nongovernmental sources.

20 Sec. 7. (1) The provisions of this section shall govern  
21 annexation by a city of the second class or village located in  
22 whole or in part within the boundaries of a county having a  
23 population in excess of one hundred thousand inhabitants but less  
24 than two hundred thousand inhabitants.

25 (2) The mayor and council of any city of the second  
26 class or the chairperson and members of the board of trustees  
27 of any village described in subsection (1) of this section may

1 by ordinance, except as provided in sections 13-1111 to 13-1118,  
2 at any time include within the corporate limits of such city or  
3 village any contiguous or adjacent lands, lots, tracts, streets,  
4 or highways as are urban or suburban in character and in such  
5 direction as may be deemed proper. Such grant of power shall  
6 not be construed as conferring power to extend the limits of any  
7 such municipality over any agricultural lands which are rural in  
8 character.

9       (3) Not later than fourteen days prior to the public  
10 hearing before the planning commission on a proposed annexation  
11 by the city or village, the city or village clerk shall send  
12 notice of the proposed annexation by certified mail, return receipt  
13 requested, to any of the following entities serving customers in  
14 such city or village or in the area proposed for annexation: Any  
15 natural gas public utility as defined in section 66-1802; any  
16 natural gas utility owned or operated by the city or village;  
17 any metropolitan utilities district; any public power district;  
18 any public power and irrigation district; any municipality; any  
19 electric cooperative; and any other governmental entity providing  
20 electric service. Such notice shall include a copy of the proposed  
21 annexation ordinance, the date, time, and place of the public  
22 hearing before the planning commission on the proposed annexation  
23 ordinance, and a map showing the boundaries of the area proposed  
24 for annexation.

25       (4) Prior to the final adoption of the annexation  
26 ordinance, the minutes of the city council or village board  
27 meeting at which such final adoption was considered shall reflect

1 formal compliance with the provisions of subsection (3) of this  
2 section.

3 (5) No additional or further notice beyond that required  
4 by subsection (3) of this section shall be necessary in the event  
5 (a) that the scheduled city council or village board public hearing  
6 on the proposed annexation is adjourned, continued, or postponed  
7 until a later date or (b) that subsequent to providing such notice  
8 the ordinance regarding such proposed annexation was amended,  
9 changed, or rejected by action of the city council or village board  
10 prior to formal passage of the annexation ordinance.

11 (6) Except for a willful or deliberate failure to cause  
12 notice to be given, no annexation decision made by a city of the  
13 second class or village either to accept or reject a proposed  
14 annexation, either in whole or in part, shall be void, invalidated,  
15 or affected in any way because of any irregularity, defect, error,  
16 or failure on the part of the city or village or its employees  
17 to cause notice to be given as required by this section if a  
18 reasonable attempt to comply with this section was made.

19 (7) Except for a willful or deliberate failure to cause  
20 notice to be given, the city or village and its employees shall  
21 not be liable for any damage to any person resulting from any  
22 failure to cause notice to be given as required by this section  
23 when a reasonable attempt was made to provide such notice. No  
24 action for damages resulting from the failure to cause notice to be  
25 provided as required by this section shall be filed more than one  
26 year following the date of the formal acceptance or rejection of  
27 the proposed annexation, either in whole or in part, by the city

1 council or village board.

2 (8) No action to challenge the validity of the acceptance  
3 or rejection of a proposed annexation on the basis of this section  
4 shall be filed more than one year following the date of the formal  
5 acceptance or rejection of the annexation by the city council or  
6 village board.

7 Sec. 8. Section 17-563, Reissue Revised Statutes of  
8 Nebraska, is amended to read:

9 17-563 (1) ~~Each~~ Except as provided in subsection (6) of  
10 this section, a city of the second class and village by ordinance  
11 (a) may require lots or pieces of ground within the city or village  
12 to be drained or filled so as to prevent stagnant water or any  
13 other nuisance accumulating thereon, (b) - ~~It~~ may require the  
14 owner or occupant of any lot or piece of ground within the city  
15 or village to keep the lot or piece of ground and the adjoining  
16 streets and alleys free of any growth of twelve inches or more in  
17 height of weeds, grasses, or worthless vegetation, and ~~it~~ (c) may  
18 prohibit and control the throwing, depositing, or accumulation of  
19 litter on any lot or piece of ground within the city or village.

20 (2) ~~Any~~ Except as provided in subsection (6) of this  
21 section, any city of the second class and village may by ordinance  
22 declare it to be a nuisance to permit or maintain any growth of  
23 twelve inches or more in height of weeds, grasses, or worthless  
24 vegetation or to litter or cause litter to be deposited or remain  
25 thereon except in proper receptacles.

26 (3) Any owner or occupant of a lot or piece of ground  
27 shall, upon conviction of violating ~~such~~ any ordinance authorized

1 under this section, be guilty of a Class V misdemeanor.

2           (4) Notice to abate and remove such nuisance shall be  
3 given to each owner or owner's duly authorized agent and to the  
4 occupant, if any, by personal service or certified mail. If notice  
5 by personal service or certified mail is unsuccessful, notice shall  
6 be given by publication in a newspaper of general circulation in  
7 the city or by conspicuously posting the notice on the lot or  
8 ground upon which the nuisance is to be abated and removed. Within  
9 five days after receipt of such notice or publication or posting,  
10 whichever is applicable, if the owner or occupant of the lot or  
11 piece of ground does not request a hearing with the city or village  
12 or fails to comply with the order to abate and remove the nuisance,  
13 the city or village may have such work done. The costs and expenses  
14 of any such work shall be paid by the owner. If unpaid for two  
15 months after such work is done, the city or village may either (a)  
16 levy and assess the costs and expenses of the work upon the lot or  
17 piece of ground so benefited in the same manner as other special  
18 taxes for improvements are levied and assessed or (b) recover in  
19 a civil action the costs and expenses of the work upon the lot or  
20 piece of ground and the adjoining streets and alleys.

21           (5) For purposes of this section:

22           (a) Litter includes, but is not limited to: (i) Trash,  
23 rubbish, refuse, garbage, paper, rags, and ashes; (ii) wood,  
24 plaster, cement, brick, or stone building rubble; (iii) grass,  
25 leaves, and worthless vegetation; (iv) offal and dead animals;  
26 and (v) any machine or machines, vehicle or vehicles, or parts of  
27 a machine or vehicle which have lost their identity, character,

1 utility, or serviceability as such through deterioration,  
2 dismantling, or the ravages of time, are inoperative or unable to  
3 perform their intended functions, or are cast off, discarded, or  
4 thrown away or left as waste, wreckage, or junk; and

5 (b) Weeds includes, but is not limited to, bindweed  
6 (Convolvulus arvensis), puncture vine (Tribulus terrestris),  
7 leafy spurge (Euphorbia esula), Canada thistle (Cirsium arvense),  
8 perennial peppergrass (Lepidium draba), Russian knapweed (Centaurea  
9 picris), Johnson grass (Sorghum halepense), nodding or musk  
10 thistle, quack grass (Agropyron repens), perennial sow thistle  
11 (Sonchus arvensis), horse nettle (Solanum carolinense), bull  
12 thistle (Cirsium lanceolatum), buckthorn (Rhamnus sp.) (toun),  
13 hemp plant (Cannabis sativa), and ragweed (Ambrosiaceae).

14 (6) A city of the second class or village by ordinance  
15 may declare it to be a nuisance to permit or maintain any growth  
16 of eight inches or more in height of weeds, grasses, or worthless  
17 vegetation on any lot or piece of ground located within the  
18 corporate limits of the city or village during any calendar year  
19 if, within the same calendar year, the city has, pursuant to  
20 subsection (4) of this section, acted to remove weeds, grasses, or  
21 worthless vegetation exceeding twelve inches in height on the same  
22 lot or piece of ground and had to seek recovery of the costs and  
23 expenses of such work from the owner.

24 Sec. 9. Section 19-916, Reissue Revised Statutes of  
25 Nebraska, is amended to read:

26 19-916 ~~(1)~~ The proprietor or proprietors of any land  
27 within the corporate limits of any city of the first or second

1 class or village, or of any land within the area designated by  
2 a city of the first class pursuant to subsection (1) of section  
3 16-902 or within the area designated by a city of the second  
4 class or village pursuant to subsection (1) of section 17-1002,  
5 may lay out such land into lots, blocks, streets, avenues, alleys,  
6 and other grounds under the name of ..... Addition to the  
7 City or Village of ..... and shall cause an accurate map  
8 or plat thereof to be made out, designating explicitly the land  
9 so laid out and particularly describing the lots, blocks, streets,  
10 avenues, alleys, and other grounds belonging to such addition. The  
11 lots shall be designated by numbers, and streets, avenues, and  
12 other grounds, by names or numbers. Such plat shall be acknowledged  
13 before some officer authorized to take the acknowledgments of  
14 deeds, and shall contain a dedication of the streets, alleys,  
15 and public grounds therein to the use and benefit of the public,  
16 and have appended a survey made by some competent surveyor with  
17 a certificate attached, certifying that he or she has accurately  
18 surveyed such addition and that the lots, blocks, streets, avenues,  
19 alleys, parks, commons, and other grounds are well and accurately  
20 staked off and marked. When such map or plat is so made out,  
21 acknowledged, and certified, and has been approved by the local  
22 legislative body, the same shall be filed and recorded in the  
23 office of the register of deeds and county assessor of the county.

24 (1) The local legislative body shall have power by  
25 ordinance to provide the manner, plan, or method by which land  
26 within the corporate limits of any such municipality, or land  
27 within the area designated by a city of the first class pursuant

1 to subsection (1) of section 16-902 or within the area designated  
2 by a city of the second class or village pursuant to subsection  
3 (1) of section 17-1002, may be subdivided, platted, or laid out,  
4 including a plan or system for the avenues, streets, or alleys to  
5 be laid out within or across such land, and to compel the owners  
6 of any such land that are subdividing, platting, or laying out such  
7 land to conform to the requirements of the ordinance and to lay  
8 out and dedicate the avenues, streets, and alleys in accordance  
9 with the ordinance as provided in sections 16-901 to 16-905 and  
10 sections 17-1001 to 17-1004. No addition shall have any validity,  
11 right, or privileges as an addition, and no plat of land or, in  
12 the absence of a plat, no instrument subdividing land within the  
13 corporate limits of any such municipality or of any land within the  
14 area designated by a city of the first class pursuant to subsection  
15 (1) of section 16-902 or within the area designated by a city of  
16 the second class or village pursuant to subsection (1) of section  
17 17-1002, shall be recorded or have any force or effect, unless  
18 the plat or instrument is approved by the legislative body, or its  
19 designated agent, and the legislative body's or agent's approval is  
20 endorsed on such plat or instrument.

21           (2) The legislative body may designate by ordinance an  
22 employee of such city or village to approve further subdivision of  
23 existing lots and blocks whenever all required public improvements  
24 have been installed, no new dedication of public rights-of-way  
25 or easements is involved, and such subdivision complies with the  
26 ordinance requirements concerning minimum areas and dimensions of  
27 such lots and blocks.

1           ~~(3) Upon approval by the legislative body or its~~  
2 ~~designated agent, such plat shall be equivalent to a deed in~~  
3 ~~fee simple absolute to the municipality from the proprietor of all~~  
4 ~~streets, avenues, alleys, public squares, parks and commons, and~~  
5 ~~of such portion of the land as is therein set apart for public~~  
6 ~~and municipal use, or is dedicated to charitable, religious, or~~  
7 ~~educational purposes.~~

8           All additions thus laid out and previously located within  
9 the corporate boundaries of the municipality shall remain a part of  
10 the municipality.

11           ~~(4)~~ (3) All additions laid out adjoining or contiguous  
12 or adjacent to the corporate limits may be included within the  
13 corporate limits and become a part of such municipality for all  
14 purposes whatsoever if approved by the legislative body of the city  
15 or village under this subsection. The proprietor or proprietors of  
16 any land within the corporate limits of any city of the first or  
17 second class or village, or of any land contiguous or adjacent  
18 to the corporate limits, may lay out such land into lots, blocks,  
19 streets, avenues, alleys, and other grounds under the name of  
20 ..... Addition to the City or Village of ....., and shall  
21 cause an accurate map or plat thereof to be made out, designating  
22 explicitly the land so laid out and particularly describing the  
23 lots, blocks, streets, avenues, alleys, and other grounds belonging  
24 to such addition. The lots shall be designated by numbers, and  
25 streets, avenues, and other grounds, by names or numbers. Such  
26 plat shall be acknowledged before some officer authorized to take  
27 the acknowledgments of deeds, shall contain a dedication of the

1 streets, alleys, and public grounds therein to the use and benefit  
2 of the public, and shall have appended a survey made by some  
3 competent surveyor with a certificate attached, certifying that he  
4 or she has accurately surveyed such addition and that the lots,  
5 blocks, streets, avenues, alleys, parks, commons, and other grounds  
6 are well and accurately staked off and marked. The addition may  
7 become part of the municipality at such time as the addition is  
8 approved by the legislative body if (a) after giving notice of  
9 the time and place of the hearing as provided in section 19-904,  
10 the planning commission and the legislative body both hold public  
11 hearings on the inclusion of the addition within the corporate  
12 limits- Such hearings shall be separate from the public hearings  
13 held regarding approval of the addition and (b) the legislative  
14 body votes to approve the inclusion of the addition within the  
15 corporate boundaries of the municipality in a separate vote from  
16 the vote approving the addition. Such hearings shall be separate  
17 from the public hearings held regarding approval of the addition.  
18 If the legislative body includes the addition within the corporate  
19 limits, the inhabitants of such addition shall be entitled to all  
20 the rights and privileges, and shall be subject to all the laws,  
21 ordinances, rules, and regulations of the municipality to which  
22 such land is an addition. When such map or plat is made out,  
23 acknowledged, and certified, and has been approved by the local  
24 legislative body, the map or plat shall be filed and recorded in  
25 the office of the register of deeds and county assessor of the  
26 county. If the legislative body includes the addition within the  
27 corporate limits, such map or plat shall be equivalent to a deed

1 in fee simple absolute to the municipality from the proprietor of  
2 all streets, avenues, alleys, public squares, parks, and commons,  
3 and of such portion of the land as is therein set apart for public  
4 and municipal use, or is dedicated to charitable, religious, or  
5 educational purposes.

6           (5) The local legislative body shall have power by  
7 ordinance to provide the manner, plan, or method by which land  
8 within the corporate limits of any such municipality, or land  
9 within the area designated by a city of the first class pursuant  
10 to subsection (1) of section 16-902 or within the area designated  
11 by a city of the second class or village pursuant to subsection  
12 (1) of section 17-1002, may be subdivided, platted, or laid out,  
13 including a plan or system for the avenues, streets, or alleys to  
14 be laid out within or across the same, and to compel the owners  
15 of any such land in subdividing, platting, or laying out the same  
16 to conform to the requirements of the ordinance and to lay out and  
17 dedicate the avenues, streets, and alleys in accordance therewith.  
18 No addition shall have any validity, right, or privileges as an  
19 addition, and no plat of land or, in the absence of a plat, no  
20 instrument subdividing land within the corporate limits of any such  
21 municipality or of any land within the area designated by a city  
22 of the first class pursuant to subsection (1) of section 16-902 or  
23 within the area designated by a city of the second class or village  
24 pursuant to subsection (1) of section 17-1002, shall be recorded  
25 or have any force or effect, unless the same be approved by the  
26 legislative body, or its designated agent, and its or his or her  
27 approval endorsed thereon.

1                   Sec. 10. Original sections 15-268, 16-117, 16-230,  
2 17-405.01, 17-563, and 19-916, Reissue Revised Statutes of  
3 Nebraska, are repealed.